

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NINA GOLDBERG and CHRISTOPHER E. CLINE,
Individually and on behalf of all others similarly
situated,

Plaintiffs,

-against-

BAYER HEALTHCARE LLC, BAYER
CORPORATION and BAYER HEALTHCARE AG,

Defendants.
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**MINUTE ENTRY AND
ORDER**

08 Civ. 4623 (BMC)


Minute Entry and Order for Status Conference held on February 13, 2009 before Judge Brian M. Cogan. Counsel for both sides present by telephone. The Court ordered that cases numbered 08cv04623 and 09cv00496 shall be consolidated under case number 08cv04623 for discovery purposes. All future filings shall be made under case number 08cv04623 and spread to 09cv00496. Plaintiffs' counsel is directed to attach a copy of this Order to the cover sheet of any future related complaint. The Clerk of Court is directed to assign any future related cases to the undersigned.

The Court denied defendants' motion to stay [7], filed in 08cv04623, finding that any discovery produced pending decision of the Judicial Panel on Multidistrict Litigation will be useful in any forum to which the case is ultimately assigned, and that the risk of necessitating duplicative efforts by the defendants is minimal. The Court set the following dates: answer and Rule 26(a)(1) initial disclosures by March 13, 2009; all written discovery requests to be served by April 13, 2009. Defendants are directed to file an ECF letter by February 20, 2009 if they

wish to seek leave to move to dismiss the complaints. The Court will hold a Status Conference on May 13, 2009 at 4:30 p.m. in Courtroom 7N.

SO ORDERED.

Dated: Brooklyn, New York
February 13, 2009



U.S.D.J.